

Department of Veterans Affairs
Veterans Health Services and
Research Administration
Washington, DC 20420

M-1, Part I
Chapter 23

March 22, 1991

1. Transmitted is a revision to Veterans Health Services and Research Administration Manual M-1, "Operations," Part I, "Medical Administration Service," Chapter 23, "Hospital Care and Medical Services in Foreign Countries." Brackets have not been used to indicate the changes.

2. Principal changes are:

a. **Paragraph 23.01:** Allows the removal of the citizenship restriction in order for any veteran sojourning or residing outside the United States to receive medical services. In addition, veterans participating in a rehabilitation program under 38 U.S.C., Chapter 31 may, under certain conditions listed, qualify for required care regardless of their citizenship status.

b. **Paragraph 23.04:** Provides a detailed explanation of the procedures used to process requests for hospital care and medical services.

c. **Paragraph 23.05:** Change the address in Canada for making arrangements for hospital care in accordance with the reciprocal agreement.

d. **Paragraph 23.07:** Enforces a 2-year limit for filing claims for unauthorized medical services.

e. **Paragraph 23.08:** Describes procedures used by the Foreign and Insular Unit, Medical Administration Service, VA Medical Center, Washington, DC, to process requests for hospital and medical care.

f. **Paragraph 23.09:** Provide specific criteria for extending nursing home care in the Philippines.

3. Filing Instructions

Remove pages

23-i through 23-4

Insert pages

23-i through 23-5

4. **RESCISSION:** M-1, part I, chapter 23, dated November 30, 1988.

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RESCISSIONS

The following material is rescinded.

1. COMPLETE RESCISSIONS

a. Regulations and Procedures

7600 through 7613

b. Manuals

M-1, part I, changes 18 and 39

M-1, part I, chapter 23 dated January 13, 1983

M-1, part I, chapter 23, dated November 30, 1988

c. Interim Issues

II 10-76-37

2. PARTIAL RESCISSIONS

Those portions of change 44 that pertain to chapter 23

CHAPTER 23. HOSPITAL CARE AND MEDICAL SERVICES IN FOREIGN COUNTRIES

SECTION I. FOREIGN COUNTRIES, OTHER THAN THE PHILIPPINES

23.01 BASIC AUTHORITY

a. Hospital care and medical services (including necessary travel) may be furnished in foreign countries, other than the Philippines, to those veterans eligible under 38 CFR (Code of Federal Regulations) 17.36. For purposes of this chapter, "Foreign Country" means any place other than:

- (1) The 50 United States,
- (2) Territories and possessions of the United States,
- (3) The District of Columbia,
- (4) The Commonwealth of Puerto Rico, or
- (5) The Republic of the Philippines.

b. The Secretary may furnish hospital care and medical services to any veteran sojourning or residing outside the United States, without regard to the veteran's citizenship.

c. Nursing home care may not be furnished in a foreign country.

d. The Secretary may furnish care to a veteran participating in a rehabilitation program under 38 U.S.C. Chapter 31, who requires care, without regard to the veteran's citizenship, for any of the following reasons:

- (1) Make possible the veteran's entrance into a rehabilitation program; or
- (2) Achieve the goals of the veterans vocational rehabilitation programs; or
- (3) Prevent interruption of a rehabilitation program; or
- (4) Hasten the return to a rehabilitation program of a veteran placed in discontinued status because of illness, injury or a dental condition; or
- (5) Secure and adjust to employment during the period of employment assistance; or
- (6) To enable the veteran to achieve maximum independence in daily living.

23.02 RESTRICTIONS

Authorizations may not be granted for hospital care and medical services, including travel in countries listed in U.S. Treasury Department Circular 655, as amended.

23.03 RESPONSIBILITY

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a. The Department of State, through its embassies and consulates (Foreign Service Posts), is responsible for coordinating and arranging for authorized hospital care and medical services, including travel for veterans in foreign countries. Addresses and telephone and telefax numbers for embassies and consulates are contained in Department of State publication 7877, Key Officers of Foreign Service Posts.

b. The CDVA (Canadian Department of Veterans Affairs), through its Foreign Countries Operations, is responsible for coordinating and arranging for authorized hospital care and medical services, including travel, for veterans in Canada. The address is Foreign Countries Operations, Veterans Affairs Canada, PO Box 8476, New Terminal Way, Ottawa, Ontario, Canada K1G 3H9. The telephone numbers are 613-992-8703 and 613-995-4875 and the telefax number is 613-952-2963 (formerly telephone number 613-998-1228 and telefax number 613-998-3213).

c. The Chief, Medical Administration Service, VA (Department of Veterans Affairs) Medical Center, Washington, DC, in conjunction with the Foreign and Insular Unit, are responsible for:

(1) Determining eligibility of veterans for hospital care and medical services in foreign countries;

(2) Furnishing eligibility data to the Department of State/CDVA in connection with hospital care and medical services, including travel for applicants in foreign countries; and

(4) Development and adjudication of claims for payment of the cost of unauthorized medical services filed by or on behalf of veterans in foreign countries.

23.04 PROCESSING REQUESTS FOR HOSPITAL CARE AND MEDICAL SERVICES

a. General

Foreign service posts, acting under an agreement between the Department of State and VA, will assist VA in discharging its responsibilities for eligible beneficiaries residing in foreign countries, except Canada. In Canada, such assistance will be provided by the CDVA.

b. Emergency Cases

When a potentially eligible veteran applies to a foreign service post/CDVA for emergency hospital care or medical services, such emergency care or services may be authorized on a conditional basis from the date of application, pending approval by VA. The veteran will be advised that if VA does not confirm the conditional authorization, the cost thereof will be the responsibility of the veteran. In addition, VA will only authorize payment of fees consistent with the prevailing rates in the area in which the care or services are rendered under the following conditions:

(1) **Outpatient Treatment.** When outpatient treatment is received without prior VA authorization due to an emergency situation, such treatment may be authorized

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retroactively, provided that the request is made to the foreign service post/CDVA not later than 72-hours after initial treatment. The date of receipt of the telephonic request, dispatch date of a telegram or transmittal date of a telefax request will be accepted as the date of request.

(2) **Hospitalization.** Emergency hospitalization may be provided for an eligible veteran if the request is received within 72 hours of the veteran's admission to the hospital. When the foreign service post/CDVA is advised by the veteran within the 72-hour period and VA is promptly notified, the effective date of the authorization will be the admission date. Otherwise the effective date will be the dispatch date of a telegram,

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the date of the telephonic contact, or the transmission date of the telefax notification. The 72-hour rule applies to both military and civilian hospitals.

c. **Nonemergency**

(1) **Hospital Care.** Foreign service posts/CDVA will transmit requests for hospital care to the VA Medical Center, Washington, DC. Separate requests must be submitted for each period of hospitalization. The request should include the admission date, approximate discharge date and a cost estimate. Hospital Summaries will be forwarded by the foreign service post/CDVA. The VA medical center, where appropriate, will refer the summaries to the VA regional office of jurisdiction.

(2) **Medical Services.** Foreign service posts/CDVA will authorize necessary outpatient treatment and filling of prescriptions for veterans who have a VA Form 10-7079, Request for Outpatient Medical Services, on file at the foreign service post/CDVA. The VA Form 10-7079 will list the conditions for which the veteran can be treated and will, generally, have a 3-year validity period. Where appropriate, the VA Form 10-7079 will contain a statement for authorization of transportation expenses. When there is no authorization for treatment on file at the foreign service post/CDVA, a request will be submitted to the Foreign and Insular Unit, VA Medical Center, Washington, DC. The request must include the condition to be treated. Where experimental or very expensive treatment is involved, a full treatment plan from their attending physician should be submitted with the request.

(3) **Procurement of Prosthetic Appliances, Including Repairs.** Procurement of appliances and/or repairs must be approved by the VA Medical Center, Washington, DC, in advance.

(4) **Transportation.** All transportation at VA expense must be approved by the VA Medical Center, Washington, DC, in advance.

(5) **Dental Treatment.** All dental treatment must be approved by the VA Medical Center, Washington, DC, in advance.

d. **Use of Medical Facilities.** Where available, hospital or medical services of the Department of Defense will be used. When none of the aforementioned services are available, the foreign service post/CDVA will use hospital or medical services available.

23.05 PAYMENT FOR AUTHORIZED SERVICES

Payment for hospital care and other medical services provided by Department of Defense health care facilities will be made at the currently prescribed Federal rates. (See ch. 15.) Payment for treatment provided by other health care facilities may not exceed the usual and customary charges to the general public for the same services. All expenditures made by consular officers on behalf of veterans must be supported by vouchers, receipts, and clinical reports. Each set of vouchers must show that payment has been received from the consular office, must bear the full name and claim number of the beneficiary, and reference to the special instructions upon which the consular officer acted.

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23.06 REIMBURSEMENT FOR UNAUTHORIZED SERVICES

a. While in a foreign country, an eligible veteran may submit a claim for reimbursement for emergency hospital care or medical services, which the veteran

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received without prior authorization or prior contact with a foreign service post/CDVA. Such claims will be submitted to the appropriate foreign service post on VA Form 10-583, Claim for Payment of Cost of Unauthorized Medical Services. The foreign service post/CDVA will prepare a statement of facts concerning the veteran's residence abroad, and any other pertinent information. This statement, along with medical information substantiating the emergency will be forwarded by the foreign service post/CPVA to the VA Medical Center, Washington, DC, with the VA Form 10-583, for adjudication. There is a 2-year limit for filing claims for unauthorized medical services. The time limit begins on the date the service is received.

b. Claims may be submitted directly to the VA Medical Center, Washington, DC, if the veteran has returned to the United States before having had a chance to contact the appropriate Foreign Service Post.

23.07 REQUESTS FOR EXAMINATION

The VA Medical Center, Washington, DC, is responsible for processing examinations required by the Veterans Benefits Administration in connection with the adjudication of claims for VA benefits, i.e., medical evaluations for rating; chapter 31, training and rehabilitation; insurance purposes; etc., for veterans in foreign countries. The general policies of chapter 20 apply subject to modified procedures due to the location of the veteran, liaison with the Department of State, etc.

23.08 QUALITY REVIEW

a. Claims and other requests for hospital care and medical services filed by eligible veterans who reside in foreign countries or travel abroad are processed in a timely and efficient manner by the Foreign and Insular Unit, Medical Administration Service, VA Medical Center, Washington, DC. Upon receipt of all needed documentation, the Foreign and Insular Unit personnel review the claim to determine if the amount shown on the receipts correlate with the amount being claimed. The rate of exchange is calculated for each receipt according to the date when services were rendered. The total amount of reimbursement in U.S. dollars, appropriation code and obligation numbers are included on VA Form 10-583. The form is forwarded to fiscal service. Fiscal service deducts the funds from the appropriate account and forwards the necessary information to the Data Processing Center in Austin, Texas in order that a check (U.S. funds) is issued to the veteran or health care provider.

b. A random 10 percent sampling of all outpatient authorizations will be monitored by the Foreign and Insular Unit personnel to assure services are in compliance with the regulations governing the Foreign Medical Services Treatment Program. If the clerk is unable to clearly verify that the services provided were as authorized, the case will be referred to the ACOS (Assistant Chief of Staff) for Ambulatory Care for a medical determination. Cases where services were rendered other than as authorized will be referred to the Chief, Foreign and Insular Section for corrective action.

c. All hospitalization cases are monitored to assure services being provided are in compliance with the regulations governing the Foreign Medical Services Treatment Program. Upon receipt of the hospital summaries, the Foreign and

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Insular Unit personnel will review the information to assure that the services were rendered as authorized. If the clerk is unable to clearly verify that the services provided were related to the veteran's service connected disabilities, the case will be referred to the ACOS for Ambulatory Care for a medical determination. Cases where services were not rendered as authorized will be referred to the Chief, Foreign and Insular Section for corrective action.

SECTION II. HOSPITAL CARE, MEDICAL SERVICES AND NURSING
HOME CARE IN THE PHILIPPINES

23.09 BASIC AUTHORITY

a. Hospital care, medical services and nursing home care may be provided to veterans eligible therefor under VA Regulations 17.38. There is no requirement that a veteran be a citizen of the United States to be eligible for these benefits in the Republic of the Philippines.

b. Commonwealth Army Veterans and New Philippine Scouts are not entitled to medical benefits at VA expense in the Republic of the Philippines.

c. The independent outpatient clinic in the regional office in Manila is responsible for authorizing medical benefits for eligible veterans in the Philippines. Hospital care and medical services may be authorized at VA expense for U.S. veterans in the Veterans Memorial Medical Center at Manila and at VA expense for U.S. veterans requiring such care for service-connected disabilities in other health care facilities in the Philippines.

d. Nursing home care may be authorized only for those veterans who have been furnished hospital care in the Philippines by VA, and who require a protracted period of nursing home care.

e. The Director may authorize, for any veteran whose hospitalization was not primarily for a service-connected disability, an extension of nursing care in a public or private nursing home care facility at VA expense beyond 6 months when the need for nursing home care continues to exist; and

(1) Arrangements for payment of such care through a public assistance program (such as Medicaid) for which the veteran has applied, have been delayed due to unforeseen eligibility problems which can reasonably be expected to be resolved within the extension period, or

(2) The veteran has made specific arrangements for private payment for such care; and

(a) Such arrangements cannot be effectuated as planned because of unforeseen, unavoidable difficulties, such as a temporary obstacle to liquidation of property; and

(b) Such difficulties can reasonably be expected to be resolved within the extension period; or

(3) The veteran is terminally ill and life expectancy has been medically determined to be less than 6 months.

(4) In no case may an extension under paragraph (2)(a) or (b) exceed 45 days.